

# Exhibit A

**From:** [Mertens, Matthew \(POR\)](#)  
**To:** [Mark Conrad](#); [Trambley, Lauren \(SFO\)](#); [\\*ESSPM 035151.0013](#)  
**Cc:** [Amber Holmes](#); [Rastello, Kenneth R. \(SEA\)](#); [Lauren English](#); [Kristofer@rikislaw.com](#); [Ted Buck](#); [Dean, Jacob \(WDC\)](#); [Perez, David A. \(SEA\)](#)  
**Subject:** RE: Hadnag, et al. v. Moss, et al - Plaintiffs' Responses to Defendants' Third Set of Interrogatories and Requests for Production  
**Date:** Wednesday, January 29, 2025 5:34:20 PM  
**Attachments:** [CTRL00069205.EML](#)  
[image001.png](#)  
[image002.png](#)

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Mark, following up on your message from Monday.

**Zoom invite for September 7, 2021, call:** Please see the attached. [@\\*ESSPM 035151.0013](#)  
Can you please slap a Bates number on the attached and send to Mark and Lauren English?

**Moss Twitter DM:** I'm checking with Mr. Moss about this. In any event, we have produced all the Signal messages between Mr. Moss and Ms. Fincher, which is where their substantive communication (such as it was) took place.

**Work product assertion on CP 25, 27, and 28:** I need to talk to David about this, and he's traveling. I will give you our position as soon as I'm able to connect with him.

**MacDougall messages:** In November 2024, you produced Signal messages between Mr. Hadnag and Alethe Denis (SE\_017126) and between Mr. Hadnag and Ms. Gamble (SE\_017140). The conversations with Ms. Denis and Ms. Gamble started in May 2022. How was Mr. Hadnag able to preserve and produce these messages after getting a new phone but not the messages with Mr. MacDougall?

Thanks,

**Matt Mertens**  
PARTNER

**Perkins Coie**

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[mmertens@perkinscoie.com](mailto:mmertens@perkinscoie.com)  
[perkinscoie.com](http://perkinscoie.com)

---

**From:** Mertens, Matthew (POR) <MMertens@perkinscoie.com>  
**Sent:** Tuesday, January 28, 2025 11:07 AM  
**To:** Mark Conrad <mconrad@freybuck.com>; Trambley, Lauren (SFO) <LTrambley@perkinscoie.com>  
**Cc:** Amber Holmes <aholmes@freybuck.com>; Rastello, Kenneth R. (SEA)

**From:** [Grifter](#)  
**To:** [Jeff Moss](#)  
**Subject:** DEF CON Zoom Meeting  
**Date:** Sunday, September 5, 2021 8:30:21 PM

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Defcon Meeting

Time - Sep 7, 2021 9:00 PM Eastern Time - 6:00 PM Pacific Time

Join Zoom Meeting= <https://Dell.zoom.us/j/94232754485?pwd=RENHaVVTZGZ0ellDampmU=JsYnpzZz09>

Neil Wyler is inviting you to a scheduled Zoom meeting.

Join from a browser: <https://Dell.zoom.us/join/94232754485>

Password: 031337

Join by Phone:

US +13462487799,,94232754485#  
US +16699006833,,94232754485#  
US +12532158782,,94232754485# =C2? US +16465588656,,94232754485#  
=C2? US +13017158592,,94232754485#  
=C2? India +918071279440,,94232754485#  
?=A0 India +912248798004,,94232754485#  
=ndia +912248798012,,94232754485#  
Indi= +912271279525,,94232754485#  
United Kingdom +442080806592,,94232754485#  
United Kingdom +443300885830,,94232754485#  
?=A0 United Kingdom +441314601196,,94232754485#  
?=A0 United Kingdom +442034815237,,94232754485#  
?=A0 United Kingdom +442034815240,,94232754485#  
?=A0 United Kingdom +442039017895,,94232754485# United Kingdom  
+442080806591,,94232754485#  
Canada +14388097799,,94232754485#<=r> Canada  
+15873281099,,94232754485#  
=C2? Canada +16473744685,,94232754485#  
?=A0 Canada +16475580588,,94232754485#  
=C2? Canada +17789072071,,94232754485#  
?=A0 Canada +12042727920,,94232754485#

Meeting ID= 942 3275 4485

Password: 031337

# Exhibit B

**From:** [Mertens, Matthew \(POR\)](#)  
**To:** ["Amber Holmes"](#); ["Mark Conrad"](#); [Perez, David A. \(SEA\)](#); ["Ted Buck"](#); [Trambley, Lauren \(SFO\)](#)  
**Cc:** ["Lauren English"](#); ["Kristofer Riklis"](#)  
**Subject:** RE: Hadnagy, et al. v. Moss, et al.  
**Date:** Tuesday, May 28, 2024 6:00:00 PM  
**Attachments:** [image001.jpg](#)

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Mark—

We're preparing discovery responses, including the names of the individuals who spoke with Def Con regarding their experiences with Mr. Hadnagy. These individuals are very concerned about the possibility of retaliation from Mr. Hadnagy or harassment by online trolls if their names become public. We will produce these names subject to and upon entry of a protective order so their identities cannot be disclosed or used for non-litigation purposes. Please let me know if you will stipulate to the entry of the standard Western District of Washington protective order, or mutually agreed-to modifications of that order, so we can produce the names accordingly.

Thanks,

**Matt Mertens | Perkins Coie LLP**

**PARTNER**

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---

**From:** Mertens, Matthew (POR)  
**Sent:** Tuesday, May 21, 2024 3:28 PM  
**To:** Amber Holmes <[aholmes@freybuck.com](mailto:aholmes@freybuck.com)>; Mark Conrad <[mconrad@freybuck.com](mailto:mconrad@freybuck.com)>; Perez, David A. (SEA) <[DPerez@perkinscoie.com](mailto:DPerez@perkinscoie.com)>; Ted Buck <[tbuck@freybuck.com](mailto:tbuck@freybuck.com)>; Trambley, Lauren (SFO) <[LTrambley@perkinscoie.com](mailto:LTrambley@perkinscoie.com)>  
**Cc:** Lauren English <[lenglish@freybuck.com](mailto:lenglish@freybuck.com)>; Kristofer Riklis <[kristofer@riklislaw.com](mailto:kristofer@riklislaw.com)>  
**Subject:** RE: Hadnagy, et al. v. Moss, et al.

Amber, receipt confirmed, thanks. And please, call me Matt.

**Matt Mertens | Perkins Coie LLP**

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---

**From:** Amber Holmes <[aholmes@freybuck.com](mailto:aholmes@freybuck.com)>  
**Sent:** Tuesday, May 21, 2024 10:20 AM

# Exhibit C

**From:** [Mertens, Matthew \(POR\)](#)  
**To:** [Mark Conrad](#); [Amber Holmes](#); [Perez, David A. \(SEA\)](#); [Ted Buck](#); [Trambley, Lauren \(SFO\)](#)  
**Cc:** [Lauren English](#); [Kristofer Riklis](#)  
**Subject:** RE: Hadnagy, et al. v. Moss, et al.  
**Date:** Thursday, June 13, 2024 11:32:58 AM  
**Attachments:** [image001.jpg](#)  
[2024-06-13 - Defendant Def Con's Amended Responses to Plaintiff's First Set of Discovery Requests.pdf](#)

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Hey, Mark—

Thanks for your time on the phone this morning. As discussed, please find attached Def Con's first amended interrogatory responses providing the names of the individuals known to Def Con who raised concerns about Mr. Hadnagy's behavior.

Per our discussion, I'll work on getting you updated responses for Rogs 1, 4, 5, 8, and 9 now.

Let me know what you hear from your client about what he may be seeking from a negotiated resolution.

Thanks,

**Matt Mertens | Perkins Coie LLP**

**PARTNER**

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**From:** Mark Conrad <mconrad@freybuck.com>

**Sent:** Wednesday, June 12, 2024 8:58 AM

**To:** Mertens, Matthew (POR) <MMertens@perkinscoie.com>; Amber Holmes <aholmes@freybuck.com>; Perez, David A. (SEA) <DPerez@perkinscoie.com>; Ted Buck <tbuck@freybuck.com>; Trambley, Lauren (SFO) <LTrambley@perkinscoie.com>

**Cc:** Lauren English <lenglish@freybuck.com>; Kristofer Riklis <kristofer@rikislaw.com>

**Subject:** RE: Hadnagy, et al. v. Moss, et al.

How about tomorrow at 9am? I can call you, just let me know what number to call.

**Mark R. Conrad | Attorney**

**Frey Buck**

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# Exhibit D

Michele Fincher

October 14, 2024

Page 1

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

-----  
CHRISTOPHER J. HADNAGY; )  
SOCIAL-ENGINEER, )  
 )  
Plaintiffs, )  
 )  
vs. ) No. 2:23-cv-01932-BAT  
 )  
JEFF MOSS; and DEF CON )  
COMMUNICATIONS, INC., )  
 )  
Defendants. )  
 )  
-----

VIDEOTAPED VIDEOCONFERENCE DEPOSITION UPON ORAL  
EXAMINATION

OF

MICHELE FINCHER

-----  
Bothell, Washington

DATE: October 14, 2024

REPORTED REMOTELY BY: Douglas Armstrong, RPR  
Washington CCR No. 3444

1 A P P E A R A N C E S

2

3 For the Plaintiffs:

4 MARK R. CONRAD  
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6 (206) 486-8000  
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7 (Via Videoconference)

8 KRISTOFER Z. RIKLIS  
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12

For the Defendants:

13

JAKE DEAN  
14 Perkins Coie  
1888 Century Park East, Suite 1700  
15 Los Angeles, California 90067  
(310) 788-3289  
16 jacobdean@perkinscoie.com  
(Via Videoconference)

17

18 Also Present:

19 PATRICK NORTON  
Videographer  
20 (Via Videoconference)

21 LAUREN ENGLISH  
Frey Buck  
22 (Via Videoconference)

23 CHRIS HADNAGY  
(Via Videoconference)

24

25

Michele Fincher

October 14, 2024

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1 Bothell, Washington Monday, October 14, 2024

2 9:04 a.m.

3 -----

4 THE VIDEOGRAPHER: We are on the record at  
5 9:04 a.m. on October 14, 2024. This is the  
6 video-recorded deposition of Michele Fincher in the  
7 matter of Chris J. Hadnagy vs. Jeff Moss, et al.,  
8 Number 2:23-cv-01932-BAT in the United States District  
9 Court for the Western District of Washington. This  
10 deposition is being held virtually and was noticed by  
11 defendant.

12 Counsel, please introduce yourselves and  
13 state whom you represent.

14 ATTORNEY DEAN: Good morning. Jake Dean on  
15 behalf of defendants.

16 ATTORNEY CONRAD: Mark Conrad on behalf of  
17 plaintiffs.

18 THE VIDEOGRAPHER: My name is Patrick Norton,  
19 and I am the legal videographer. The court reporter is  
20 Doug Armstrong. We are with Seattle Deposition  
21 Reporters.

22 Would the reporter please swear in the  
23 witness.

24 \\

25 \\

1 MICHELE FINCHER, witness herein, having been  
2 duly sworn by the Certified  
3 Court Reporter, testified as  
4 follows:

6 E X A M I N A T I O N

7 BY ATTORNEY DEAN:

8 Q. Good morning, Ms. Fincher. How's it going?

9 A. Fine. How are you doing, Jake?

10 Q. Not bad.

11 So, you know, you're here today for your  
12 deposition. I'm going to try to be as efficient as I  
13 can, try and make sure we have a clean record, and get  
14 you in and out. With that said, I want to go through  
15 what we call the admonitions or the ground rules to  
16 make sure that we have a nice, clean record today and a  
17 nice, smooth, and efficient deposition, okay?

18 A. Yes. Understood.

19 Q. Perfect.

20 So the oath that you just took is the same  
21 oath that you would take if this case were to go to  
22 trial, and it carries with it the same obligation to  
23 testify truthfully under the penalty of perjury.

24 Do you understand that?

25 A. Yes, I do.

1 said, "Yes, this is Jeff." And so I -- that was --  
2 that was the extent of Jeff's involvement in that. He  
3 left Grifter do the questioning.

4 Q. And it was your understanding that Grifter  
5 was acting on behalf of Def Con during this call?

6 A. Yes.

7 ATTORNEY CONRAD: Object. Form.

8 Q. (By Attorney Dean) Was that a "yes"?

9 A. Yes.

10 ATTORNEY CONRAD: Object. Form.

11 Q. (By Attorney Dean) And I think you said the  
12 purpose of this call was essentially to be a  
13 fact-finding mission regarding allegations into  
14 Mr. Hadnagy, correct?

15 A. Yes.

16 ATTORNEY CONRAD: Object. Form.

17 Q. (By Attorney Dean) Approximately how many  
18 individuals were on this call, to the best of your  
19 recollection?

20 A. Probably at least a dozen. 10 to 12, I would  
21 say.

22 Q. Understood.

23 And did you personally share any stories  
24 about your experience with SEVillage, Black Hat, and  
25 Social-Engineer during this call?

1 A. Yes.

2 Q. And did you tell Grifter the stories that you  
3 just told us today about the Black Hat conference and  
4 how women were asked to ask men about whether their  
5 penises were circumcised, and men were asked to ask  
6 women about their bra size and feminine products?

7 ATTORNEY CONRAD: Object. Form.

8 A. I'm going to say yes, but I'm not sure,  
9 honestly. A lot of people had a lot of things to say.  
10 I know that I did share some stories, and that's  
11 probably one of the main stories that I would have  
12 shared. So -- but I -- that was a long time ago, and  
13 I'm sorry. I can't definitively say that's the  
14 specific story that I shared.

15 Q. (By Attorney Dean) Do you -- sitting here  
16 today, do you recall what stories you shared on that  
17 call?

18 A. Honestly, no, not really. I agreed to  
19 participate on the call because I was asked to by  
20 several people. I felt it was important to be  
21 supportive of the people who had brought the complaint  
22 forward, and I felt that it was legitimate.

23 So to ask me specifically what I talked  
24 about, I would say I probably talked about the class  
25 exercise that I hated. I probably talked about the

1 SEVillage contestant because that was directly  
2 associated with Def Con. I probably talked about  
3 treatment of employees. But can I say that I did? I  
4 cannot.

5 Q. Got it.

6 So sitting here today, you can't recall 100  
7 percent, but to the best of your recollection, what you  
8 likely said were the stories about Black Hat and the  
9 questions that were asked; the comment about a  
10 contestant being "hot," "Asian," and being in; and then  
11 the treatment of the staff at Def Con?

12 ATTORNEY CONRAD: Object. Form.

13 A. Yes, sir. Yes, sir.

14 Q. (By Attorney Dean) And do you recall whether  
15 anyone else on this call kind of corroborated your  
16 stories or said, "Uh-Huh, yeah, I've seen that," or,  
17 "Yep, that happened"?

18 ATTORNEY CONRAD: Object. Form.

19 A. Yes. I don't recall anyone saying that they  
20 did not disagree with anything that I said I witnessed  
21 personally.

22 Q. (By Attorney Dean) Do you --

23 A. I feel like I would remember that.

24 Q. Do you recall other individuals corroborating  
25 other stories? So, for example, if someone said, you

## C E R T I F I C A T E

UNITED STATES )  
 )  
DISTRICT COURT )

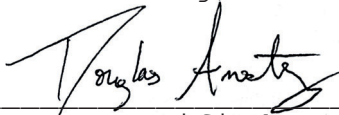
I, a Reporter and Washington Certified Court Reporter, hereby certify that the foregoing videotaped videoconference deposition upon oral examination of Michele Fincher was taken stenographically before me on October 14, 2024, and transcribed under my direction;

That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true and correct transcript to the best of my ability; that I am neither attorney for nor a relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto nor financially interested in its outcome.

I further certify that in accordance with Washington Court Rule 30(e) the witness is given the opportunity to examine, read and sign the deposition within thirty days upon its completion and submission unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of October, 2024.

Douglas Armstrong, RPR



Washington Certified Court Reporter No. 3444  
License expires 11/26/2025

# Exhibit E

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

CHRISTOPHER J. HADNAGY;  
SOCIAL-ENGINEER,  
  
                    Plaintiffs,  
  
vs.  
  
JEFF MOSS; and DEF CON  
COMMUNICATIONS, INC.,  
  
                    Defendants.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION UPON ORAL  
EXAMINATION

OF

MAXIE REYNOLDS

Los Angeles, California (Via Zoom)

DATE: September 27, 2024

REPORTED REMOTELY BY: Douglas Armstrong, RPR  
Washington CCR No. 3444

1 A P P E A R A N C E S

2

3 For the Plaintiffs:

4 MARK R. CONRAD  
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5 1200 Fifth Avenue, Suite 1900  
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6 (206) 486-8000  
mconrad@freybuck.com  
7 (Via Videoconference)

8 KRISTOFER Z. RIKLIS  
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kristofer@riklislaw.com  
11 (Via Videoconference)

12

For the Defendants:

13

MATTHEW J. MERTENS  
14 Perkins Coie, LLP  
1120 Northwest Couch, 10th Floor  
15 Portland, Oregon 97209  
(503) 727-2199  
16 mmertens@perkinscoie.com  
(Via Videoconference)

17

18 Also Present:

19 PATRICK NORTON  
Videographer  
20 (Via Videoconference)

21 LAUREN ENGLISH  
Frey Buck  
22 (Via Videoconference)

23 CHRIS HADNAGY  
(Via Videoconference)

24

25

Maxie Reynolds

September 27, 2024

Page 7

1 Los Angeles, California Friday, September 27, 2024

2 9:00 a.m. PDT

3 -----

4 THE VIDEOGRAPHER: We are on the record at  
5 9:00 a.m. on September 27, 2024. This is the  
6 video-recorded deposition of Maxie Reynolds in the  
7 matter of Christopher J. Hadnagy vs. Jeff Moss, et al.,  
8 Number 2:23-cv-01932-BAT in the United States District  
9 Court for the Western District of Washington. This  
10 deposition is being held virtually and was noticed by  
11 defendant.

12 Counsel, please introduce yourselves and  
13 state whom you represent.

14 ATTORNEY CONRAD: Mark Conrad for plaintiffs.

15 ATTORNEY MERTENS: And Matt Mertens for  
16 defendants Jeff Moss and Def Con Communications.

17 THE VIDEOGRAPHER: My name is Patrick Norton,  
18 and I am the legal videographer. The court reporter is  
19 Doug Armstrong. We are with Seattle Deposition  
20 Reporters. Would the reporter please swear in the  
21 witness.

22

23 MAXIE REYNOLDS, witness herein, having been  
24 duly sworn by the Certified  
25 Court Reporter, testified as

Maxie Reynolds

September 27, 2024

Page 8

1 follows:

2

3 E X A M I N A T I O N

4 BY ATTORNEY MERTENS:

5 Q. Good morning, Ms. Reynolds.

6 A. Good morning. How's it going?

7 Q. Good. Good. Thank you.

8 We've met before off the record, but for the  
9 purposes of the record, I'll reintroduce myself. I'm  
10 Matt Martens. I'm an attorney for Jeff Moss and Def  
11 Con Communications in the lawsuit that Mr. Hadnagy and  
12 Social-Engineer, LLC, have brought against Mr. Moss and  
13 Def Con.

14 Ms. Reynolds, have you ever been deposed  
15 before?

16 A. No.

17 Q. Okay. So we'll just cover some basics here.

18 You understand that you are giving today  
19 sworn testimony under oath just like you're sitting in  
20 a courtroom?

21 A. Yes.

22 Q. And you understand that you are sworn to tell  
23 the truth to the best of your ability?

24 A. Yes.

25 Q. Okay. So some ground rules for today's

1 especially if you have a village there or something  
2 like that, which he did. At Def Con, a village is like  
3 a well-respected position.

4 So it sort of moved from "Should I go to the  
5 police?" to "Well, wait a minute. He gets all of us  
6 from the same place. Should we go to Def Con and Black  
7 Hat and that sort of thing?" So that was more or less  
8 how that came about.

9 Q. Do you recall approximately when the decision  
10 was made to approach Def Con and Black Hat with this  
11 group of individuals' concerns about Mr. Hadnagy?

12 A. I do not. But I think I was the one who  
13 emailed Def Con. So there is a definite answer. I  
14 just don't know.

15 Q. Was it your idea to reach out to Def Con and  
16 Black Hat regarding Mr. Hadnagy, or, alternatively, was  
17 it a collective decision? How did that concretely get  
18 decided?

19 A. I don't think it was my idea, but I would  
20 have gotten to the same idea. And I was happy to  
21 contact them. I was thrilled that there was a path to  
22 sort of minimizing his impact on the rest of us.

23 Q. I'm going to name the names that you have  
24 given me, and the question for each of these  
25 individuals is whether they were part of the initial

Maxie Reynolds

September 27, 2024

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1 phone call that happened with Def Con that you've  
2 referenced in your testimony.

3 Does that make sense?

4 A. Yeah.

5 ATTORNEY CONRAD: Object. Form.

6 Q. (By Attorney Mertens) Cat Murdock?

7 A. Yes.

8 Q. Michele Fincher?

9 A. Yes.

10 Q. Jess Levine?

11 A. Yes.

12 Q. Yourself?

13 A. Yes.

14 Q. [REDACTED]

15 A. Yes.

16 Q. [REDACTED], the man whose last name we don't know?

17 A. Yes.

18 Q. And is that, if you know, Ms. Reynolds,

19 [REDACTED]?

20 A. That is.

21 Q. [REDACTED], whose last name you don't know?

22 A. Correct.

23 Q. [REDACTED]?

24 A. Correct.

25 Q. Sam Gamble?

Maxie Reynolds

September 27, 2024

Page 97

1           There was a -- so I don't recall the length  
2   of time at all, and, yes, there was a follow-up call.  
3   And I don't truly remember what was discussed on it.  
4   It was just -- I remember talking to -- Jeff Moss was  
5   on the call, and he was talking about, I think, Chris'  
6   behavior after the ban. And my memory's a little bit  
7   hazy on the rest of the details, but, yeah, there  
8   actually -- there was a second meeting, but I don't  
9   think it was like a second meeting to go through each  
10  of our stories again. It was just a "Here's what's  
11  what happened," I think.

12           Q.    (By Attorney Mertens) So let me -- I'm just  
13  going to explore that a little bit, Ms. Reynolds.

14           A.    Okay.

15           Q.    Your testimony is that there was a second  
16  meeting with Jeff Moss where he described the situation  
17  with Mr. Hadnagy after Def Con announced Mr. Hadnagy's  
18  ban from Def Con?

19           A.    Yes.

20           ATTORNEY CONRAD: I'm going to object. Form.

21           A.    That is right.

22           Q.    (By Attorney Mertens) Do you recall who was  
23  involved in that call?

24           A.    I just remember that Jeff was on it and I was  
25  on it and that [REDACTED] was on it because she sort of

1 said something on that call that I had a reaction to,  
2 and so that's why I remember that.

3 And the rest, like, I'm sure there were other  
4 people on that call. I just don't know. I couldn't  
5 name them.

6 Q. (By Attorney Mertens) What did [REDACTED] say  
7 that caused you a reaction?

8 A. She just -- you know, we're talking about a  
9 fairly sensitive topic, and she just made it, like,  
10 very personal with Jeff and sort of was sort of like  
11 praising Jeff, not for anything to do with this case,  
12 but just who Jeff is. Like, I think it's sort of  
13 like -- for [REDACTED], I think it's sort of like meeting,  
14 you know, your celebrity crush sort of thing. So I  
15 just had a reaction to that. That was it.

16 Q. I see.

17 And what, to the best of your recollection,  
18 was the substance of that second meeting that we're  
19 talking about?

20 A. It was simply to talk about, like, what Def  
21 Con been doing since our last call. Like, I'm fairly  
22 sure it was about that.

23 Q. Do you know, Ms. Reynolds, approximately how  
24 long after the first call took place that this second  
25 call took place?

Maxie Reynolds

September 27, 2024

Page 99

1 A. No, I don't.

2 Q. Do you recall the length, approximately, of  
3 this second call?

4 A. No.

5 Q. Turning back to the initial call,  
6 Ms. Reynolds, what, to the best of your recollection,  
7 was shared with the Def Con attendees on that call?

8 A. Yeah. So everyone gave their experience with  
9 Chris and details of that. So [REDACTED] gave, like, a  
10 very emotional detailing of her time with Chris and  
11 what happened to her after she left. And we all sort  
12 of gave our -- like, "Here's he -- here's what he's  
13 done to us, and doesn't this look like a pattern to  
14 you?"

15 Q. To the best of your recollection,  
16 Ms. Reynolds, can you share what was shared on the call  
17 by person?

18 A. By any person?

19 Q. For example, you offered [REDACTED]  
20 recounting of her experiences with Mr. Hadnagy.

21 Do you recall what others told Def Con in a  
22 similar vein to that which you've described --

23 A. Yeah.

24 Q. -- about [REDACTED]?

25 A. So [REDACTED] described becoming homeless

1 because of Chris' actions toward her after she was let  
2 go or after she left. I don't recall which way that  
3 was. Like, did she leave, or was she fired? I don't  
4 know. But post employment, she ended up homeless  
5 because of some actions of Chris'.

6 [REDACTED] won a lawsuit against Chris, I  
7 believe, where Chris disobeyed the judge and took a  
8 lawyer to a meeting that you weren't supposed to have  
9 lawyers in, something like that, and treated her  
10 unfairly because of how she looks. And I think she won  
11 that case.

12 Then Michele left. Michele Fincher left  
13 Chris' employment because he was so volatile as a  
14 leader to the rest of his staff and didn't treat them  
15 fairly, and I think she didn't want to see that. So  
16 she detailed that.

17 Cat was either fired or left and was treated  
18 unfairly when she was in there. She wanted things like  
19 fair pay and, I think, was denied that. And then,  
20 also, I had information that I had relayed to Cat  
21 afterwards, which was Chris was actively trying to get  
22 her fired from a job which was unrelated to him because  
23 he felt uncomfortable that she worked for a client,  
24 which employs hundreds of thousands of people, and  
25 somehow Cat was a threat to him by working there.

Maxie Reynolds

September 27, 2024

Page 107

1 Q. Is [REDACTED] a member of the LGBTQ community?

2 A. I don't know.

3 Q. When she, to your recollection, expressed a  
4 belief that Mr. Hadnagy is homophobic, was that based  
5 on behavior towards her or behavior that she witnessed  
6 towards others, if you know?

7 A. It was behavior that she witnessed towards  
8 others, and she did describe it. I cannot remember it.

9 Q. Michele Fincher, what do you recall about  
10 what she shared with Def Con on this call?

11 A. Michele's position was that she was witness  
12 to too many, like, instances of bullying internally  
13 within the company, and I think it was actually to do  
14 with either [REDACTED] or [REDACTED], one of them. Like, I think  
15 she witnessed one of them being bullied and, like,  
16 unfair treatment of other employees.

17 I wasn't there at the time. I don't know who  
18 he employed at that time. That's my understanding of  
19 it, and she wanted to leave because of that.

20 Q. Anything else you recall about what  
21 Ms. Fincher shared with Def Con on that call?

22 A. No.

23 Q. Ms. Murdock, you testified that she was  
24 unhappy with her compensation.

25 Was there anything else you recall about what

## C E R T I F I C A T E

UNITED STATES )  
 )  
DISTRICT COURT )

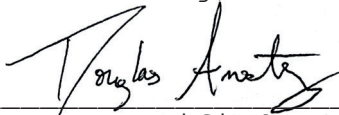
I, a Reporter and Washington Certified Court Reporter, hereby certify that the foregoing videotaped videoconference deposition upon oral examination of Maxie Reynolds was taken stenographically before me on September 27, 2024, and transcribed under my direction;

That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true and correct transcript to the best of my ability; that I am neither attorney for nor a relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto nor financially interested in its outcome.

I further certify that in accordance with Washington Court Rule 30(e) the witness is given the opportunity to examine, read and sign the deposition within thirty days upon its completion and submission unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October, 2024.

Douglas Armstrong, RPR



Washington Certified Court Reporter No. 3444  
License expires 11/26/2025

# Exhibit E

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

CHRISTOPHER J. HADNAGY;  
SOCIAL-ENGINEER,

Plaintiffs,

VS.

No. 2:23-cv-01932-BAT

JEFF MOSS; and DEF CON  
COMMUNICATIONS, INC.,

Defendants.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION UPON ORAL  
EXAMINATION

OF

MAXIE REYNOLDS

Los Angeles, California (Via Zoom)

DATE: September 27, 2024

REPORTED REMOTELY BY: Douglas Armstrong, RPR  
Washington CCR No. 3444

1 A P P E A R A N C E S

2

3 For the Plaintiffs:

4 MARK R. CONRAD  
Frey Buck, P.S.  
5 1200 Fifth Avenue, Suite 1900  
Seattle, Washington 98101  
6 (206) 486-8000  
mconrad@freybuck.com  
7 (Via Videoconference)

8 KRISTOFER Z. RIKLIS  
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Santa Monica, California 90401  
10 (310) 895-2497  
kristofer@riklislaw.com  
11 (Via Videoconference)

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For the Defendants:

13

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14 Perkins Coie, LLP  
1120 Northwest Couch, 10th Floor  
15 Portland, Oregon 97209  
(503) 727-2199  
16 mmertens@perkinscoie.com  
(Via Videoconference)

17

18 Also Present:

19 PATRICK NORTON  
Videographer  
20 (Via Videoconference)

21 LAUREN ENGLISH  
Frey Buck  
22 (Via Videoconference)

23 CHRIS HADNAGY  
(Via Videoconference)

24

25

Maxie Reynolds

September 27, 2024

Page 7

1 Los Angeles, California Friday, September 27, 2024

2 9:00 a.m. PDT

3 -----

4 THE VIDEOGRAPHER: We are on the record at  
5 9:00 a.m. on September 27, 2024. This is the  
6 video-recorded deposition of Maxie Reynolds in the  
7 matter of Christopher J. Hadnagy vs. Jeff Moss, et al.,  
8 Number 2:23-cv-01932-BAT in the United States District  
9 Court for the Western District of Washington. This  
10 deposition is being held virtually and was noticed by  
11 defendant.

12 Counsel, please introduce yourselves and  
13 state whom you represent.

14 ATTORNEY CONRAD: Mark Conrad for plaintiffs.

15 ATTORNEY MERTENS: And Matt Mertens for  
16 defendants Jeff Moss and Def Con Communications.

17 THE VIDEOGRAPHER: My name is Patrick Norton,  
18 and I am the legal videographer. The court reporter is  
19 Doug Armstrong. We are with Seattle Deposition  
20 Reporters. Would the reporter please swear in the  
21 witness.

22

23 MAXIE REYNOLDS, witness herein, having been  
24 duly sworn by the Certified  
25 Court Reporter, testified as

Maxie Reynolds

September 27, 2024

Page 8

1 follows:

2

3 E X A M I N A T I O N

4 BY ATTORNEY MERTENS:

5 Q. Good morning, Ms. Reynolds.

6 A. Good morning. How's it going?

7 Q. Good. Good. Thank you.

8 We've met before off the record, but for the  
9 purposes of the record, I'll reintroduce myself. I'm  
10 Matt Martens. I'm an attorney for Jeff Moss and Def  
11 Con Communications in the lawsuit that Mr. Hadnagy and  
12 Social-Engineer, LLC, have brought against Mr. Moss and  
13 Def Con.

14 Ms. Reynolds, have you ever been deposed  
15 before?

16 A. No.

17 Q. Okay. So we'll just cover some basics here.

18 You understand that you are giving today  
19 sworn testimony under oath just like you're sitting in  
20 a courtroom?

21 A. Yes.

22 Q. And you understand that you are sworn to tell  
23 the truth to the best of your ability?

24 A. Yes.

25 Q. Okay. So some ground rules for today's

1 especially if you have a village there or something  
2 like that, which he did. At Def Con, a village is like  
3 a well-respected position.

4 So it sort of moved from "Should I go to the  
5 police?" to "Well, wait a minute. He gets all of us  
6 from the same place. Should we go to Def Con and Black  
7 Hat and that sort of thing?" So that was more or less  
8 how that came about.

9 Q. Do you recall approximately when the decision  
10 was made to approach Def Con and Black Hat with this  
11 group of individuals' concerns about Mr. Hadnagy?

12 A. I do not. But I think I was the one who  
13 emailed Def Con. So there is a definite answer. I  
14 just don't know.

15 Q. Was it your idea to reach out to Def Con and  
16 Black Hat regarding Mr. Hadnagy, or, alternatively, was  
17 it a collective decision? How did that concretely get  
18 decided?

19 A. I don't think it was my idea, but I would  
20 have gotten to the same idea. And I was happy to  
21 contact them. I was thrilled that there was a path to  
22 sort of minimizing his impact on the rest of us.

23 Q. I'm going to name the names that you have  
24 given me, and the question for each of these  
25 individuals is whether they were part of the initial

Maxie Reynolds

September 27, 2024

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1 phone call that happened with Def Con that you've  
2 referenced in your testimony.

3 Does that make sense?

4 A. Yeah.

5 ATTORNEY CONRAD: Object. Form.

6 Q. (By Attorney Mertens) Cat Murdock?

7 A. Yes.

8 Q. Michele Fincher?

9 A. Yes.

10 Q. Jess Levine?

11 A. Yes.

12 Q. Yourself?

13 A. Yes.

14 Q. [REDACTED]

15 A. Yes.

16 Q. [REDACTED], the man whose last name we don't know?

17 A. Yes.

18 Q. And is that, if you know, Ms. Reynolds,

19 [REDACTED]?

20 A. That is.

21 Q. [REDACTED], whose last name you don't know?

22 A. Correct.

23 Q. [REDACTED]?

24 A. Correct.

25 Q. Sam Gamble?

Maxie Reynolds

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1           There was a -- so I don't recall the length  
2   of time at all, and, yes, there was a follow-up call.  
3   And I don't truly remember what was discussed on it.  
4   It was just -- I remember talking to -- Jeff Moss was  
5   on the call, and he was talking about, I think, Chris'  
6   behavior after the ban. And my memory's a little bit  
7   hazy on the rest of the details, but, yeah, there  
8   actually -- there was a second meeting, but I don't  
9   think it was like a second meeting to go through each  
10  of our stories again. It was just a "Here's what's  
11  what happened," I think.

12           Q.    (By Attorney Mertens) So let me -- I'm just  
13  going to explore that a little bit, Ms. Reynolds.

14           A.    Okay.

15           Q.    Your testimony is that there was a second  
16  meeting with Jeff Moss where he described the situation  
17  with Mr. Hadnagy after Def Con announced Mr. Hadnagy's  
18  ban from Def Con?

19           A.    Yes.

20           ATTORNEY CONRAD: I'm going to object. Form.

21           A.    That is right.

22           Q.    (By Attorney Mertens) Do you recall who was  
23  involved in that call?

24           A.    I just remember that Jeff was on it and I was  
25  on it and that [REDACTED] was on it because she sort of

Maxie Reynolds

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1 said something on that call that I had a reaction to,  
2 and so that's why I remember that.

3 And the rest, like, I'm sure there were other  
4 people on that call. I just don't know. I couldn't  
5 name them.

6 Q. (By Attorney Mertens) What did [REDACTED] say  
7 that caused you a reaction?

8 A. She just -- you know, we're talking about a  
9 fairly sensitive topic, and she just made it, like,  
10 very personal with Jeff and sort of was sort of like  
11 praising Jeff, not for anything to do with this case,  
12 but just who Jeff is. Like, I think it's sort of  
13 like -- for [REDACTED], I think it's sort of like meeting,  
14 you know, your celebrity crush sort of thing. So I  
15 just had a reaction to that. That was it.

16 Q. I see.

17 And what, to the best of your recollection,  
18 was the substance of that second meeting that we're  
19 talking about?

20 A. It was simply to talk about, like, what Def  
21 Con been doing since our last call. Like, I'm fairly  
22 sure it was about that.

23 Q. Do you know, Ms. Reynolds, approximately how  
24 long after the first call took place that this second  
25 call took place?

Maxie Reynolds

September 27, 2024

Page 99

1 A. No, I don't.

2 Q. Do you recall the length, approximately, of  
3 this second call?

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5 Q. Turning back to the initial call,  
6 Ms. Reynolds, what, to the best of your recollection,  
7 was shared with the Def Con attendees on that call?

8 A. Yeah. So everyone gave their experience with  
9 Chris and details of that. So [REDACTED] gave, like, a  
10 very emotional detailing of her time with Chris and  
11 what happened to her after she left. And we all sort  
12 of gave our -- like, "Here's he -- here's what he's  
13 done to us, and doesn't this look like a pattern to  
14 you?"

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16 Ms. Reynolds, can you share what was shared on the call  
17 by person?

18 A. By any person?

19 Q. For example, you offered [REDACTED]  
20 recounting of her experiences with Mr. Hadnagy.

21 Do you recall what others told Def Con in a  
22 similar vein to that which you've described --

23 A. Yeah.

24 Q. -- about [REDACTED]?

25 A. So [REDACTED] described becoming homeless

1 because of Chris' actions toward her after she was let  
2 go or after she left. I don't recall which way that  
3 was. Like, did she leave, or was she fired? I don't  
4 know. But post employment, she ended up homeless  
5 because of some actions of Chris'.

6 [REDACTED] won a lawsuit against Chris, I  
7 believe, where Chris disobeyed the judge and took a  
8 lawyer to a meeting that you weren't supposed to have  
9 lawyers in, something like that, and treated her  
10 unfairly because of how she looks. And I think she won  
11 that case.

12 Then Michele left. Michele Fincher left  
13 Chris' employment because he was so volatile as a  
14 leader to the rest of his staff and didn't treat them  
15 fairly, and I think she didn't want to see that. So  
16 she detailed that.

17 Cat was either fired or left and was treated  
18 unfairly when she was in there. She wanted things like  
19 fair pay and, I think, was denied that. And then,  
20 also, I had information that I had relayed to Cat  
21 afterwards, which was Chris was actively trying to get  
22 her fired from a job which was unrelated to him because  
23 he felt uncomfortable that she worked for a client,  
24 which employs hundreds of thousands of people, and  
25 somehow Cat was a threat to him by working there.

Maxie Reynolds

September 27, 2024

Page 107

1 Q. Is [REDACTED] a member of the LGBTQ community?

2 A. I don't know.

3 Q. When she, to your recollection, expressed a  
4 belief that Mr. Hadnagy is homophobic, was that based  
5 on behavior towards her or behavior that she witnessed  
6 towards others, if you know?

7 A. It was behavior that she witnessed towards  
8 others, and she did describe it. I cannot remember it.

9 Q. Michele Fincher, what do you recall about  
10 what she shared with Def Con on this call?

11 A. Michele's position was that she was witness  
12 to too many, like, instances of bullying internally  
13 within the company, and I think it was actually to do  
14 with either [REDACTED] or [REDACTED], one of them. Like, I think  
15 she witnessed one of them being bullied and, like,  
16 unfair treatment of other employees.

17 I wasn't there at the time. I don't know who  
18 he employed at that time. That's my understanding of  
19 it, and she wanted to leave because of that.

20 Q. Anything else you recall about what  
21 Ms. Fincher shared with Def Con on that call?

22 A. No.

23 Q. Ms. Murdock, you testified that she was  
24 unhappy with her compensation.

25 Was there anything else you recall about what

## C E R T I F I C A T E

UNITED STATES )  
)  
DISTRICT COURT )

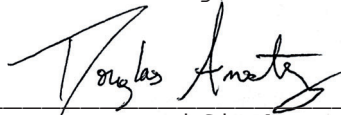
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That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true and correct transcript to the best of my ability; that I am neither attorney for nor a relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto nor financially interested in its outcome.

I further certify that in accordance with Washington Court Rule 30(e) the witness is given the opportunity to examine, read and sign the deposition within thirty days upon its completion and submission unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October, 2024.

Douglas Armstrong, RPR



Washington Certified Court Reporter No. 3444  
License expires 11/26/2025

# Exhibit F

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

CHRISTOPHER J. HADNAGY;  
SOCIAL-ENGINEER,

Plaintiffs,

VS.

No. 2:23-cv-01932-BAT

JEFF MOSS; and DEF CON  
COMMUNICATIONS, INC.,

Defendants.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION UPON ORAL  
EXAMINATION

OF

CAT MURDOCK

Via Zoom

DATE:     October 24, 2024

REPORTED REMOTELY BY: Douglas Armstrong, RPR  
Washington CCR No. 3444

1 A P P E A R A N C E S

2

3 For the Plaintiffs:

4 MARK R. CONRAD  
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7 (Via Videoconference)

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20 mmertens@perkinscoie.com  
(Via Videoconference)

21

22

23

24

25

1 A P P E A R A N C E S (Continued)

2

3 Also Present:

4 PATRICK NORTON  
5 Videographer  
(Via Videoconference)

6 LAUREN ENGLISH  
7 Frey Buck  
(Via Videoconference)

8 CHRIS HADNAGY  
(Via Videoconference)

9

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Cat Murdock

October 24, 2024

Page 6

1 Via Zoom Thursday, October 24, 2024

2 9:02 a.m. PDT

3 -----

4 THE VIDEOGRAPHER: We are on the record at  
5 9:02 a.m. on October 24, 2024. This is the  
6 video-recorded deposition of Cat Murdock in the matter  
7 of Christopher J. Hadnagy vs. Jeff Moss, et al.,  
8 Number 2:23-cv-01932-BAT in the United States District  
9 Court for the Western District of Washington. This  
10 deposition is being held virtually and was noticed by  
11 defendant.

12 Counsel, please introduce yourselves and  
13 state whom you represent.

14 ATTORNEY TRAMBLEY: Good morning.  
15 Lauren Trambley on behalf of defendants.

16 ATTORNEY CONRAD: Mark Conrad on behalf of  
17 plaintiffs.

18 THE VIDEOGRAPHER: My name is Patrick Norton,  
19 and I am the legal videographer. The court reporter is  
20 Doug Armstrong. We are with Seattle Deposition  
21 Reporters.

22 Would the reporter please swear in the  
23 witness.

24 \\

25 \\

Cat Murdock

October 24, 2024

Page 7

1 CAT MURDOCK, witness herein, having been  
2 duly sworn by the Certified  
3 Court Reporter, testified as  
4 follows:

6 E X A M I N A T I O N

7 BY ATTORNEY TRAMBLEY:

8 Q. Good morning, Ms. Murdock. How are you?

9 A. I'm okay. How are you?

10 Q. I know we have met before, but for the  
11 record, I'll reintroduce myself. My name is  
12 Lauren Trambley, and I'm an attorney at Perkins Coie.  
13 We represent defendants Def Con Communications, Inc.,  
14 and Jeff Moss.

15 To begin, can you please state your full name  
16 for the record?

17 A. Constance Caitlin Crumpler Murdock.

18 Q. Have you ever been deposed before?

19 A. No.

20 Q. Okay. I'll go over some basic ground rules  
21 before we get started.

22 So you understand that you are giving sworn  
23 testimony under oath today as if you were sitting in a  
24 courtroom?

25 A. I do.

1 says, like "These can ruin my life if used wrong." So  
2 he's owning that it's terrible, that he shouldn't have  
3 said it or done it. And then the description matches  
4 perfectly with the public statement. So, yeah, I think  
5 it's confirmation that that article is about me.

6 Q. (By Attorney Trambley) Okay. And do you find  
7 it ironic that Mr. Hadnagy is suing for defamation in  
8 this lawsuit when he sent this email to a journalist  
9 about you?

10 ATTORNEY CONRAD: Object. Form.

11 A. It is gloriously ironic. Yes, I agree.

12 Q. (By Attorney Trambley) And do you feel afraid  
13 because Mr. Hadnagy has made disparaging comments about  
14 you to third parties in the information security  
15 industry?

16 ATTORNEY CONRAD: Object. Form.

17 A. I feel afraid for my career. I feel afraid  
18 for my reputation. I feel sad. I feel less afraid the  
19 more he quadruples down on his behavior, but I know  
20 that some people always believe him. So, yeah, I will  
21 always be afraid.

22 Q. (By Attorney Trambley) Going --

23 A. It might be a win for him. So there you go,  
24 buddy. You can have that win.

25 Q. Ms. Murdock, shifting gears, let's discuss

1 how you came to report your experiences with  
2 Mr. Hadnagy to Def Con. It is my understanding that  
3 Def Con had a call with people who had inappropriate  
4 interactions with Mr. Hadnagy.

5 Were you on that call?

6 ATTORNEY CONRAD: I'm going to object. Form.

7 A. I was on a call that is what you described.

8 Q. (By Attorney Trambley) When did that call  
9 take place?

10 A. I honestly don't recall. It's -- what?  
11 He's -- years ago at this point. I don't remember. I  
12 know I was in a hotel room at the time, but that  
13 doesn't really narrow it down. I don't know.

14 He sued Def Con for what? This is the third  
15 year. So 2021, maybe late spring of 2021.

16 Q. Okay.

17 A. That's the best guess I've got.

18 Q. Do you recall how long that call was?

19 A. It was very long. I want to say over 90  
20 minutes.

21 Q. And do you recall how many participants in  
22 total were on the call?

23 A. Somewhere around 20, give or take.

24 Q. And do you recall who was on the call?

25 A. I recall many people. I -- yeah.

1 Q. Was Neil Wyler on the call?

2 A. Oh, I don't recall if he was.

3 Q. Was Grifter on the call?

4 A. Yes. Oh, sorry. Yeah. My bad. Sorry,  
5 Grifter.

6 ATTORNEY CONRAD: I'm going to object. Form.

7 Q. (By Attorney Trambley) Was Jeff Moss on the  
8 call?

9 A. Yes.

10 Q. Was Maxie Reynolds on the call?

11 A. Yes.

12 Q. Was Michele Fincher on the call?

13 A. Yes.

14 Q. Is there anyone else that you recall being on  
15 the call?

16 A. Yeah. There were a bunch of people. I'm not  
17 going to name names. I know some of them were there  
18 anonymously and did not want to be named, and I don't  
19 want to accidentally say someone who wasn't comfortable  
20 being part of the public.

21 I know, like, [REDACTED] was there, like,  
22 some supportive allies. Like, he's -- he was just  
23 there as, like, a sounding board of, like, "Yes, I  
24 experienced this secondhand."

25 [REDACTED] was there. She wouldn't mind me

## C E R T I F I C A T E

UNITED STATES )  
)  
DISTRICT COURT )

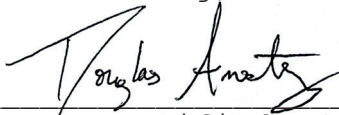
I, a Reporter and Washington Certified Court Reporter, hereby certify that the foregoing videotaped videoconference deposition upon oral examination of Cat Murdock was taken stenographically before me on October 24, 2024, and transcribed under my direction;

That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true and correct transcript to the best of my ability; that I am neither attorney for nor a relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto nor financially interested in its outcome.

I further certify that in accordance with Washington Court Rule 30(e) the witness is given the opportunity to examine, read and sign the deposition within thirty days upon its completion and submission unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 2024.

Douglas Armstrong, RPR



Washington Certified Court Reporter No. 3444  
License expires 11/26/2025

# Exhibit G

Hadnagy, et al. v. Moss, et al.

Neil Wyler

Page 1

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

---

CHRISTOPHER J. HADNAGY, an	)	
individual; and	)	
SOCIAL-ENGINEER, LLC, a	)	
Pennsylvania limited	)	
liability company,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 2:23-cv-01932-BAT
	)	
JEFF MOSS, an individual;	)	
DEF CON COMMUNICATIONS,	)	
INC., a Washington	)	
corporation; and DOES 1-10;	)	
and ROE ENTITIES 1-10,	)	
inclusive,	)	
	)	
Defendants.	)	

---

VIDEO-RECORDED VIDEOCONFERENCE DEPOSITION OF  
NEIL WYLER

---

9:03 a.m. (Pacific Time)  
KAYSVILLE, UTAH  
(All participants appeared via videoconference.)

DATE TAKEN: NOVEMBER 14, 2024  
REPORTED BY: LORRIE R. CHINN, RPR,  
Washington Certified Court Reporter No. 1902  
Oregon Certified Court Reporter No. 97-0337

BUELL REALTIME REPORTING, LLC  
206.287.9066 | 800.846.6989

Hadnagy, et al. v. Moss, et al.

Neil Wyler

Page 2

R E M O T E   A P P E A R A N C E S

FOR THE PLAINTIFFS (via videoconference):

MARK CONRAD  
Frey Buck  
1200 Fifth Avenue, Suite 1900  
Seattle, Washington 98101  
206.486.8000  
mconrad@freybuck.com

FOR THE DEFENDANTS (via videoconference):

JAKE DEAN (Pro Hac Vice)  
Perkins Coie LLP  
700 13th Street, NW, Suite 800  
Washington, D.C. 20005-3960  
202.654.6200  
jacobdean@perkinscoie.com

ALSO PRESENT (via videoconference):

CATHY ZAK, VIDEOGRAPHER  
LAUREN ENGLISH

Hadnagy, et al. v. Moss, et al.

Neil Wyler

Page 5

1 KAYSVILLE, UTAH; NOVEMBER 14, 2024

2 9:03 a.m.

3 --oOo--

4  
5 (Deposition Exhibits 1 - 16 were premarked for  
6 identification.)  
7

8  
9 THE VIDEOGRAPHER: Good morning. This  
10 is the deposition of Neil Wyler in the matter of  
11 Hadnagy, et al., v. Moss, et al., Civil Action No.  
12 2:23-cv-01932-BAT, in the United States District Court,  
13 for the Western District of Washington, and was noticed  
14 by Perkins Coie, LLP.

15 The time now is approximately 9:03 a.m. on  
16 this 14th day of November, 2024, and we are convening  
17 via Buell virtual depositions. My name is Cathy Zak  
18 from Buell Realtime Reporting, LLC, located at 1325  
19 Fourth Avenue, Suite 1840, in Seattle, Washington  
20 98101.

21 Will counsel please identify themselves for  
22 the record.

23 MR. DEAN: Jake Dean for Defendants.

24 MR. CONRAD: Mark Conrad for Plaintiffs.

25 THE VIDEOGRAPHER: Thank you. The court

BUELL REALTIME REPORTING, LLC  
206.287.9066 | 800.846.6989

Hadnagy, et al. v. Moss, et al.

Neil Wyler

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1 reporter may now swear in the witness.

2

3 NEIL WYLER, witness herein, having been first  
4 duly sworn under oath, was examined  
5 and testified as follows:

6

7 E X A M I N A T I O N

8 BY MR. DEAN:

9 Q. Good morning, Neil. How is it going?

10 A. It's going, man. Yeah, it's not bad. A  
11 little chilly out here in Utah, but pretty good.

12 Q. I hear you. It's cold and rainy here in  
13 Virginia, so no complaints. It's actually pretty nice  
14 and better than LA.

15 You also go by the name Grifter, right?

16 A. Yeah. Probably honestly more people in the  
17 world know me as Grifter than know me as Neil.

18 Q. And for the record, that's spelled  
19 G-R-I-F-T-E-R?

20 A. That's correct.

21 Q. Perfect. I will probably call you -- I'm not  
22 sure today -- between Neil, Mr. Wyler, or Grifter. If  
23 you prefer one over the other, let me know. But  
24 otherwise I'll probably use it differently depending on  
25 what documents we're looking at.

Hadnagy, et al. v. Moss, et al.

Neil Wyler

Page 111

1    blah, blah. And I'm like, "Dude, you can't do that."  
2    You know, like you just -- like that's not -- in no  
3    scenario is anybody going to think that that's  
4    appropriate.

5           And he's like, "No. It's just like, well,  
6    what are you going to look like when you get on stage?  
7    Like they can't go up there looking unprofessional."

8           And so, again, in this head he has a  
9    justification for why. "Well, they represent my  
10   company, right? So what does their makeup look like?  
11   What does their outfit look like?"

12           But obviously to a woman standing in her hotel  
13   room before she goes down to a conference and gets on a  
14   stage somewhere being told by her boss to turn on the  
15   camera or find another job, that's not -- you know, no  
16   one is going to think that that's okay to do, right?  
17   But in Chris' mind he thought it was okay because they  
18   were representing SECOM and so they should.

19           Q. Understood. Michele Fincher testify that  
20   during this call she shared a story about how Chris had  
21   women asking inappropriate questions as, I think, part  
22   of homework for one of his SE villages at DEF CON. Do  
23   you recall Ms. Fincher making that statement?

24           A. I do.

25           MR. CONRAD: Objection. Form.

Hadnagy, et al. v. Moss, et al.

Neil Wyler

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1 Q. What do you recall Ms. Fincher saying to the  
2 extent you can?

3 A. Yeah. So it wasn't just --

4 MR. CONRAD: Object to form.

5 A. -- at DEF CON. It was also at Black Hat as  
6 well. So it was like part of the training. There were  
7 questions that weren't what I would call appropriate  
8 like where it was -- and I remember having a discussion  
9 with Chris about this like years prior to this.  
10 Because part of the homework at -- for the class is to  
11 go out and social engineer information out of people  
12 that they normally wouldn't disclose, right? And so I  
13 know if you were -- if you were approaching a male  
14 target, you were supposed to ask them like things like  
15 what the brand of condom that they used was or  
16 something.

17 And then if you were approaching female  
18 targets or whatever, then it was what their bra size  
19 was or what feminine products they used. Like I know  
20 there was, you know, some claims of asking about like  
21 sexual preference, things like that, things that were  
22 just kind of, you know, crossed the line.

23 And I had had a discussion about this with  
24 Chris as a member of the Black Hat training review  
25 board, just like -- you know, because somebody had

Hadnagy, et al. v. Moss, et al.

Neil Wyler

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1 complained about it. And he said, well, this -- and,  
2 again, this isn't during this timeframe. This was  
3 probably two years prior or something.

4 And he was like, "Well, what I'm trying to do  
5 is put them in a situation that makes them  
6 uncomfortable as well. Like and it should make the  
7 target uncomfortable because I'm trying to get them to  
8 get information out of them that they wouldn't normally  
9 disclose."

10 And I'm like, "Yeah, but why does it have to  
11 be this? It couldn't be like where they bank or like  
12 whatever?" And he's like, "Oh, well, nobody's  
13 complained to me about it," right?

14 And it's like, "Okay. Well, I just heard a  
15 complaint about it, you know." And he's like, "Well,  
16 nobody has said anything to me."

17 And so, yeah, it was -- again, it's just like  
18 a pattern of like justification. It's like people come  
19 and they say they have a problem with something. And  
20 Chris tells you why, even though they have a problem  
21 with it, it's still fine to do because he believes he  
22 can justify it. And it's like just because you can  
23 justify something to yourself doesn't mean that it's  
24 okay for other people. And if it makes them  
25 uncomfortable or makes them feel like they -- you know,

Hadnagy, et al. v. Moss, et al.

Neil Wyler

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1 I don't know -- are put into like an uncomfortable  
2 situation they can't get out of because now they've got  
3 this instructor and they've paid for a class or they're  
4 in this village and they're trying to win some contest,  
5 it's like, well, you're going to do it anyway even if  
6 it makes you uncomfortable.

7 Q. Got it. So complaints were made about these  
8 questions a couple of years prior to this call, but  
9 they were made to Black Hat?

10 A. Correct.

11 Q. And then during this September 2021 call with  
12 DEF CON, Michele Fincher also raised this complaint?

13 A. Correct.

14 Q. Did others corroborate these type of questions  
15 during the call?

16 A. Yes.

17 Q. And did anyone mention on that call whether  
18 those questions made them feel uncomfortable,  
19 unwelcome, afraid or unsafe?

20 A. Yes.

21 Q. One person or more than one person?

22 A. More than one person.

23 Q. And Chris had admitted to you previously to  
24 having those questions but had a justification for why  
25 he asked them?

Hadnagy, et al. v. Moss, et al.

Neil Wyler

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## REPORTER'S CERTIFICATE

I, LORRIE R. CHINN, the undersigned Certified Court Reporter, pursuant to RCW 5.28.010 authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify:

That the sworn testimony and/or remote proceedings, a transcript of which is attached, was given before me at the time and place stated therein; that any and/or all witness(es) were duly sworn remotely to testify to the truth; that the sworn testimony and/or remote proceedings were by me stenographically recorded and transcribed under my supervision, to the best of my ability; that the foregoing transcript contains a full, true, and accurate record of all the sworn testimony and/or remote proceedings given and occurring at the time and place stated in the transcript; that a review of which was not requested; that I am in no way related to any party to the matter, nor to any counsel, nor do I have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this 25th day of November, 2024.

*Lorrie R. Chinn*

LORRIE R. CHINN, RPR, SCR  
Washington State Certified Court Reporter No. 1902  
Oregon State Certified Court Reporter No. 97-0337  
lorrie@buellrealtime.com



BUELL REALTIME REPORTING, LLC  
206.287.9066 | 800.846.6989

# Exhibit H

Jeff Moss  
July 31, 2024

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

---

CHRISTOPHER J. HADNAGY, an	)	
individual; and SOCIAL-ENGINEER,	)	
LLC, a Pennsylvania limited	)	
liability company,	)	
	)	No. 2:23-cv-01932-BAT
Plaintiffs,	)	
	)	
vs.	)	
	)	
JEFF MOSS, an individual; DEF CON	)	
COMMUNICATIONS, INC., a Washington	)	
corporation; and DOES 1-10; and	)	
ROE ENTITIES 1-10,	)	
	)	
Defendants.	)	

---

VIDEO-RECORDED DEPOSITION OF JEFF MOSS  
  
July 31, 2024  
  
Seattle, Washington

Reporter: John M. S. Botelho, CCR, RPR

Jeff Moss  
July 31, 2024

APPEARANCES

For the Plaintiffs:

MARK R. CONRAD  
Frey Buck  
1200 Fifth Avenue  
Suite 1900  
Seattle, Washington 98101-3135  
206.486.8000  
206.902.9660 Fax  
mconrad@freybuck.com

KRISTOFER RIKLIS  
Riklis Law  
401 Wilshire Boulevard  
Floor 12  
Santa Monica, California 90401-1456  
310.994.5959  
kristofer@riklislaw.com

For Defendant DEF CON communications, Inc.:

MATTHEW J. MERTENS  
Perkins Coie  
1120 Northwest Couch Street  
10th Floor  
Portland, Oregon 97209-4128  
503.727.2000  
503.727.2222 Fax  
mmertens@perkinscoie.com

Also Present: Steve Crandall, videographer

Christopher Hadnagy

Jeff Moss  
July 31, 2024

1 BE IT REMEMBERED that on Wednesday,  
2 July 31, 2024, at 1201 Third Avenue, Suite 4900,  
3 Seattle, Washington, at 9:04 a.m., before JOHN M.S.  
4 BOTELHO, Certified Court Reporter, appeared JEFF  
5 MOSS, the witness herein;

6 WHEREUPON, the following  
7 proceedings were had, to wit:

8  
9 <<<<<< >>>>>>

10  
11 THE VIDEOGRAPHER: We are going on  
12 the record at 9:04 a.m. on July 31st, 2024.

13 This is Volume 1, Media Unit 1, of the video-  
14 recorded deposition of Jeff Moss in the matter of  
15 Hadnagy vs. Moss filed in the United States District  
16 Court, Western District of Washington, at Seattle.  
17 Case No. 2:23-cv-01932-BAT.

18 This deposition is being held at 1201 Third  
19 Avenue, Suite 4900, Seattle, Washington 98101. The  
20 videographer is Steve Crandall from U.S. Legal  
21 Support. The court reporter is John Botelho from  
22 U.S. Legal Support.

23 Will counsel and all present please note their  
24 appearances and affiliations for the record.

25 MR. CONRAD: Sure. I can start.

Jeff Moss  
July 31, 2024

1 My name's Mark Conrad. I work with the firm Frey Buck,  
2 on behalf of plaintiffs.

3 MR. RIKLIS: My name's Kris Riklis,  
4 on behalf of plaintiffs, with Riklis Law.

5 MR. MERTENS: Matt Mertens with  
6 Perkins Coie, LLP, with defendant DEF CON.

7 THE WITNESS: Jeff Moss with  
8 defendant DEF CON.

9 THE VIDEOGRAPHER: Thank you.

10 Will the court reporter please swear the witness.  
11

12 JEFF MOSS, having been first duly sworn  
13 by the Certified Court  
14 Reporter, deposed and  
15 testified as follows:  
16

17 EXAMINATION

18 BY MR. CONRAD:

19 Q All righty. So, Jeff, you and I met just briefly off  
20 the record, but we're on the record now. Just  
21 introduce myself again. Mark Conrad.

22 And you said it's okay if I refer to you as "Jeff"  
23 throughout the deposition?

24 A Yeah.

25 Q Okay. Kind of based on some of our conversation

Jeff Moss  
July 31, 2024

1 telling us and everybody.

2 Q So you provided Signal messages between you and Maxie  
3 Reynolds with Apple receipts to your counsel for  
4 production?

5 A Correct.

6 Q Any other messages with Maxie Reynolds that you've  
7 provided in discovery?

8 A Well, I've provided the Signal message thread, my  
9 conversations with her from the very beginning to the  
10 end.

11 Q I haven't seen the Signal message thread.

12 A Okay.

13 Q You said that she also wrote a letter to Black Hat; is  
14 that right?

15 A That's my understanding. I didn't see it, but it's my  
16 understanding that she also filed some -- or "filed" --  
17 she e-mailed them something with a complaint.

18 Q And you indicated that there were other allegations  
19 that were made.

20 A Correct.

21 Q Can you tell me about those?

22 A Yeah, I'm trying to think of -- I mean, it was -- it  
23 was a while ago, right? So I'm not going to -- I don't  
24 remember specifically who said what. Maybe you can  
25 tease some of that out of me. But this is what -- what

Jeff Moss  
July 31, 2024

1 STATE OF WASHINGTON ) I, John M. S. Botelho, CCR, RPR,  
2 ) ss a certified court reporter  
3 County of Pierce ) in the State of Washington, do  
4 hereby certify:

5

6

7 That the foregoing deposition of JEFF MOSS was taken  
8 before me and completed on July 31, 2024, and thereafter was  
9 transcribed under my direction; that the deposition is a  
10 full, true and complete transcript of the testimony of said  
11 witness, including all questions, answers, objections,  
12 motions and exceptions;

13

14 That the witness, before examination, was by me duly  
15 sworn to testify the truth, the whole truth, and nothing but  
16 the truth, and that the witness reserved the right of  
17 signature;

18

19 That I am not a relative, employee, attorney or counsel  
20 of any party to this action or relative or employee of any  
21 such attorney or counsel and that I am not financially  
22 interested in the said action or the outcome thereof;

23

24 IN WITNESS WHEREOF, I have hereunto set my hand  
25 this 12th day of August, 2024.

26

27

28

29

30

31

32

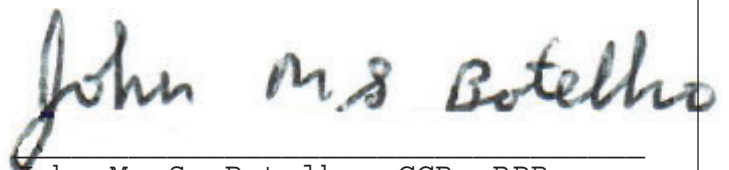
33

34

35

36

37



John M. S. Botelho, CCR, RPR  
Certified Court Reporter No. 2976  
(Certification expires 5/26/2025.)

# Exhibit I

**From:** [Trambley, Lauren \(SFO\)](#)  
**To:** [Mark Conrad](#); [Ted Buck](#); [Lauren English](#); [Amber Holmes](#); [Karina Martin](#); [Kristofer Riklis](#)  
**Cc:** [Perez, David A. \(SEA\)](#); [Mertens, Matthew \(POR\)](#); [Dean, Jacob \(WDC\)](#); [Harbaugh, Katrina \(BOI\)](#)  
**Subject:** Hadnagay et al. v. Def Con et al. | M. Fincher Subpoena Response  
**Date:** Thursday, November 14, 2024 11:18:45 AM  
**Attachments:** [2024-11-14 M. Fincher's Objections and Responses to Subpoena.pdf](#)

---

Counsel,

Please see attached for service Ms. Fincher's response to the subpoena served on October 29, 2024. You will be receiving an email shortly from Kiteworks with a secure link to download the documents produced by Ms. Fincher pursuant to the subpoena.

Thanks,

**Lauren Trambley** | ASSOCIATE | [Perkins Coie](#)

505 Howard Street Suite 1000  
San Francisco, CA 94105-3204  
+1.415.344.7140  
[ltrambley@perkinscoie.com](mailto:ltrambley@perkinscoie.com)

---

NOTICE: This communication from Perkins Coie LLP may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.



Perkins Coie LLP  
1201 Third Avenue  
Suite 4900  
Seattle, WA 98101-3099

T. +1.206.359.8000  
F. +1.206.359.9000  
perkinscoie.com

November 14, 2024

David A. Perez  
DPerez@perkinscoie.com  
D. +1.206.359.6767  
F. +1.206.359.7767

**VIA EMAIL**

Ted Buck  
Mark Conrad  
FREY BUCK  
1200 5<sup>th</sup> Avenue, Suite 1900  
Seattle, Washington 98101  
tbuck@freybuck.com  
mconrad@freybuck.com

**Re: Hadnagy et al. v. Def Con Communications Inc. et al., case no. 2:23-cv-01932-BAT |  
Michele Fincher's Objections and Responses to Subpoena from Plaintiffs  
Christopher Hadnagy and Social-Engineer, LLC**

Counsel:

We represent Michele Fincher in connection with the documents subpoena (the "*Subpoena*") in the above-captioned litigation ("*Litigation*") that Plaintiffs Christopher Hadnagy and Social-Engineer, LLC (collectively, "*Plaintiffs*") served on October 29, 2024. This letter sets forth Ms. Fincher's objections and responses to the Subpoena.

### **Objections**

Ms. Fincher objects that the Subpoena is overbroad, unduly burdensome, vague and ambiguous, and seeks information that is not relevant to any claim or defense in the Litigation, nor proportional to the needs of the Litigation, and not within Ms. Fincher's possession, custody, or control. Ms. Fincher does not and will not agree to undertake an unduly burdensome search for documents. Ms. Fincher will produce responsive, non-privileged documents that are within her possession, custody, or control that is commensurate with Ms. Fincher's non-party status and that is proportional to the needs of the Litigation. Ms. Fincher's general and specific objections to the Subpoena are described below.

***Overbroad and Unduly Burdensome.*** Ms. Fincher objects to the Subpoena as overbroad and imposing an undue burden on a non-party. *See* Fed. R. Civ. P. 45(d)(1) ("A party or an attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena"). For example, each request of the Subpoena lacks a temporal scope. Given Ms. Fincher's long history with Mr. Hadnagy, her employment at Social-Engineer, and her involvement at conferences in the industry, the lack of a temporal scope renders each request impermissibly overbroad and unduly burdensome. Asking non-party Ms. Fincher to search for and produce materials spanning over a decade is unreasonably overbroad and imposes an undue and heavy burden on a non-party.

November 14, 2024

Page 2

Ms. Fincher further objects to the scope of requested information in the Subpoena is unduly burdensome. The Subpoena contains 18 separate requests for documents. Additionally, most of the requests are individually overbroad and unduly burdensome.

***Improperly Seeks Information Available from a Party to the Litigation.*** Ms. Fincher objects to the Subpoena as unduly burdensome to the extent that it seeks documents, information, or communications readily available from parties to the Litigation or public sources. For example, Request No. 2 seeks “[a]ny documents or communications, including but not limited to emails (with attachments), text messages, voicemails, social media posts or messages, notes, drafts, or any other record otherwise memorialized with Jeff Moss, (aka “The Dark Tangent”), related to Chris Hadnagy or Social-Engineer, LLC.” These documents can be (and have been) obtained through the parties to the Litigation without posing any burden on non-party Ms. Fincher.

***Duplicative.*** Ms. Fincher objects to each request in the Subpoena to the extent that they are duplicative of other requests served on Ms. Fincher in this Litigation by other parties. Specifically, Request Nos. 1–18 are duplicative of Request Nos. 1, 2, 4, 5, 6, 7, 10, and 11 contained in a subpoena served on Ms. Fincher by Defendant Def Con Communications, Inc., for which she has already responded.

***Relevance.*** Ms. Fincher further objects to each request in the Subpoena to the extent that it is not relevant to the Litigation. The requests seek all documents relating to Mr. Hadnagy or Social-Engineer, with no temporal scope, or limitation to the claims or defenses at issue in the Litigation.

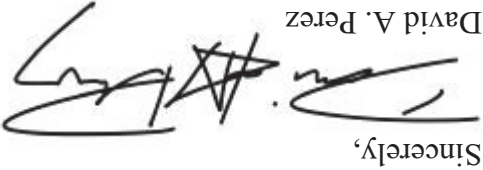
***Not in Ms. Fincher’s Possession, Custody, or Control.*** Ms. Fincher objects to each request in the Subpoena to the extent it seeks information that is not in her possession, custody, or control; that is not known or reasonably available to Ms. Fincher; that is not ascertainable by means of a reasonably diligent search; or that is no longer maintained or accessible by Ms. Fincher.

***Privilege or Work Product.*** Ms. Fincher objects to each request in the Subpoena to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or other applicable privileges or immunities. Specifically, Ms. Fincher objects to Request No. 18 to the extent that it seeks communications with Perkins Coie that occurred *after* Perkins Coie was retained in response to this Subpoena.

***Inaccessible ESI.*** Ms. Fincher objects to the Subpoena to the extent it seeks electronically stored information and/or documents concerning electronically stored information that are not reasonably accessible due to undue burden and/or cost in violation of Fed. R. Civ. P. 45(e)(1)(D). To the extent Ms. Fincher agrees to search for documents and subject to Fed. R. Civ. P. 26(b)’s proportionality factors, Ms. Fincher will search document sources (including ESI sources) that she reasonably believes hosts responsive documents.

CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER

cc: Michele Fincher  
Jeff Moss  
Matt Mertens  
Jacob Dean  
Lauren Trambley

David A. Perez  


Sincerely,

Ms. Fincher reserves all rights to amend or supplement its objections to the Subpoena. This letter and Ms. Fincher's responses to the Subpoena are designated at "CONFIDENTIAL" per the Protective Order in this Litigation. Please restrict accordingly.

\* \* \*

Subject to and without waiving the foregoing objections, Ms. Fincher responds as follows: Ms. Fincher will produce responsive, non-privileged documents that are identified after a reasonable search and diligent inquiry for Request Nos. 2, 7, 9, 10, 13, 15, and 18. After a reasonable search and diligent inquiry, Ms. Fincher does not have any responsive documents in her possession, custody, or control for Request Nos. 1, 3, 4, 5, 6, 8, 11, 12, 14, 16, and 17, because the documents either do not exist or are no longer in her possession, custody, or control.

Responses

**Third-Party Information.** Ms. Fincher objects to the extent the Subpoena requests third-party confidential information without the consent of the third party.

# Exhibit J

**From:** [Rastello, Kenneth R. \(SEA\)](#)  
**To:** [lenglish@freybuck.com](#); [tbuck@freybuck.com](#); [mconrad@freybuck.com](#); [aholmes@freybuck.com](#); [kristofer@rikislaw.com](#)  
**Cc:** [Rastello, Kenneth R. \(SEA\)](#); [Harbaugh, Katrina \(BOI\)](#); [Trambley, Lauren \(SFO\)](#); [Perez, David A. \(SEA\)](#); [Terpstra, Sam \(SEA\)](#); [Mertens, Matthew \(POR\)](#)  
**Subject:** Hadnagay v. Def Con - 3rd Party Production: FINCHER001  
**Date:** Thursday, November 14, 2024 11:28:14 AM

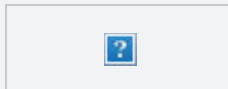
---



krastello@perkinscoie.com sent you a secure  
message

Access message

This message requires that you sign in to access the message and any file attachments.



# Exhibit K

Jessica Levine

September 19, 2024

Page 1

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

-----  
CHRISTOPHER J. HADNAGY; )  
SOCIAL-ENGINEER, )  
 )  
Plaintiffs, )  
 )  
vs. ) No. 2:23-cv-01932-BAT  
 )  
JEFF MOSS; and DEF CON )  
COMMUNICATIONS, INC., )  
 )  
Defendants. )  
 )  
-----

VIDEOTAPED VIDEOCONFERENCE DEPOSITION UPON ORAL  
EXAMINATION

OF

JESSICA LEVINE

\*\*\*CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER\*\*\*

-----  
Round Rock, Texas (Via Zoom)

DATE: September 19, 2024

REPORTED REMOTELY BY: Douglas Armstrong, RPR  
Washington CCR No. 3444

SEATTLE DEPOSITION REPORTERS, LLC

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18 Also Present:

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LINDSAY HITCHCOCK  
20 Videographer  
(Via Videoconference)

21

LAUREN ENGLISH  
22 Frey Buck  
(Via Videoconference)

23

CHRISTOPHER HADNAGY  
24 (Via Videoconference)

25

Jessica Levine

September 19, 2024

Page 5

1 Round Rock, Texas Thursday, September 19, 2024

2 9:00 a.m. PDT

3 -----

4 THE VIDEOGRAPHER: We are on the record.

5 Today's date is September 19, 2024, and the time is  
6 9:00 a.m. This is the video-recorded deposition of  
7 Jessica Levine in the matter of Hadnagy, et al., vs.  
8 Moss, et al., Case Number 2:23-cv-01932-BAT in the  
9 United States District Court for the Western District  
10 of Washington.

11 This deposition is being held via  
12 videoconference. The reporter's name is  
13 Doug Armstrong. My name is Lindsay Hitchcock. I'm the  
14 legal videographer. We are with Seattle Deposition  
15 Reporters.

16 At this time, Counsel, would you please  
17 identify yourselves for the record, after which the  
18 witness may be sworn in.

19 ATTORNEY CONRAD: Mark Conrad for plaintiff.

20 ATTORNEY MERTENS: And Matt Mertens for  
21 defendants Def Con Communications and Jeff Moss.

22

23 JESSICA LEVINE, witness herein, having been  
24 duly sworn by the Certified  
25 Court Reporter, testified as

1 follows:

2

3 E X A M I N A T I O N

4 BY ATTORNEY MERTENS:

5 Q. Good morning, Ms. Levine. We've met off the  
6 record, but I'm Matt Mertens, and I'm an attorney for  
7 Jeff Moss and Def Con Communications in the lawsuit  
8 that Chris Hadnagy and Social-Engineer have filed  
9 against Mr. Moss and Def Con Communications.

10 Have you ever been deposed before?

11 A. No. This is the first time.

12 Q. Okay. So you understand that the oath that  
13 Mr. Armstrong has just administered to you is the same  
14 oath that would be administered to you if you were  
15 sitting in a courtroom?

16 A. Yes, I understand.

17 Q. And you are sworn to tell the truth today to  
18 the best of your ability.

19 Do you understand that?

20 A. I understand.

21 Q. So let me just give you a few ground rules  
22 for this deposition because you've never been deposed  
23 before.

24 Mr. Armstrong is a very talented court  
25 reporter, but he can only write down the words of one

1 apologize.

2 There was a call later on. I don't remember  
3 the timeline exactly, but there was a call in between  
4 this and the initial one where I was on the airplane.  
5 There was a call where I remember Grifter was on the  
6 call, Jeff was on the call, and there were other people  
7 that were on the call. And they asked us to explain  
8 our complaints, and so I was able to give my complaint  
9 directly to Jeff and Grifter and Def Con, the other  
10 individuals associated with Def Con.

11 But I don't recall exactly the date of that,  
12 but it was in between -- this was years ago. I'm  
13 sorry. My -- I'm trying to remember exactly when that  
14 occurred. I wish that I had more records, but with  
15 Signal, it's hard to keep records.

16 Q. So I want to ask about this call, and then I  
17 just want to jump back to kind of more -- it sounds  
18 like more recent communications with Jeff Moss.

19 So you were part of a call in which Grifter,  
20 Jeff Moss was there, as well as who else?

21 A. I don't know any of the others that were on  
22 the call because I said my piece, and then I left the  
23 call. Nobody else said that they were -- I went first.

24 Q. And did you announce who you were?

25 A. Uh-huh. Yep.

C E R T I F I C A T E

UNITED STATES )  
)  
DISTRICT COURT )

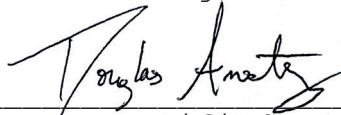
I, a Reporter and Washington Certified Court Reporter, hereby certify that the foregoing videotaped videoconference deposition upon oral examination of Jessica Levine was taken stenographically before me on September 19, 2024, and transcribed under my direction;

That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true and correct transcript to the best of my ability; that I am neither attorney for nor a relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto nor financially interested in its outcome.

I further certify that in accordance with Washington Court Rule 30(e) the witness is given the opportunity to examine, read and sign the deposition within thirty days upon its completion and submission unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of September, 2024.

Douglas Armstrong, RPR



Washington Certified Court Reporter No. 3444  
License expires 11/26/2024